

AMENDED IN ASSEMBLY JUNE 12, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

## Assembly Joint Resolution

No. 42

---

Introduced by Assembly ~~Members Garcia and Ma~~ Member Garcia

January 22, 2008

---

Assembly Joint Resolution No. 42—Relative to immigration.

### LEGISLATIVE COUNSEL’S DIGEST

AJR 42, as amended, Garcia. Immigration: ~~deportation of victims of domestic violence.~~ *domestic violence: programs and funding.*

This measure would urge Congress ~~not to change the current policy to allow victims of domestic violence to pursue permanent resident status~~ *to protect funding and maintain programs, laws, regulations, and policies that assist victims of domestic violence, as specified.*

Fiscal committee: no.

- 1     *WHEREAS, Domestic violence is a major problem in both*  
2     *California and throughout the United States; and*  
3     *WHEREAS, Domestic violence is often referred to as intimate*  
4     *partner violence, which includes violence between spouses, couples*  
5     *who are dating, and former spouses or partners; and*  
6     *WHEREAS, Around the world one in every three women has*  
7     *been beaten, coerced into sex, or otherwise abused during her*  
8     *lifetime; and*  
9     *WHEREAS, Women 16 to 24 years of age are consistently*  
10    *reported as the group most at risk of abuse; and*  
11    *WHEREAS, Women of all races are equally vulnerable to*  
12    *violence by an intimate partner; and*

1     WHEREAS, Domestic violence often involves physical, sexual,  
2 verbal, emotional, and psychological abuse; and

3     WHEREAS, Every year almost 6 percent of women in California  
4 suffer physical injuries from domestic violence; and

5     WHEREAS, Women victimized by abuse are more likely to be  
6 diagnosed with serious health problems including depression,  
7 panic attacks, high risk behaviors such as substance abuse and  
8 sexual risk taking, as well as migraine headaches, chronic pain,  
9 arthritis, high blood pressure, inconsistent use of birth control,  
10 and delayed entry into prenatal care; and

11     WHEREAS, In 2006, 134 murders, with 110 female victims and  
12 24 male victims, were the result of intimate partner violence in  
13 California; and

14     WHEREAS, Pregnant women are frequent targets of abuse, and  
15 as a result, are placed at risk for low-birth weight babies and  
16 preterm labor; and

17     WHEREAS, Fifty percent of the men who frequently assaulted  
18 their wives also frequently abused their children; and

19     WHEREAS, About 916,000 children were exposed to intimate  
20 partner violence at home in 1998; and

21     WHEREAS, Crime and incarceration of youth are often  
22 associated with a history of child abuse and exposure to domestic  
23 violence; and

24     WHEREAS, Nearly one in five women who went hungry because  
25 they did not have enough money to buy food were victims of  
26 domestic violence; and

27     WHEREAS, A change in any funding or policy discouraging  
28 victims to report incidents of domestic violence, whether male or  
29 female, would result in victims remaining in violent relationships  
30 just to avoid deportation and abandonment of their children, which  
31 would cause those children to seek public assistance, end up in  
32 foster care, and become more likely to model domestic violence  
33 behaviors themselves; now, therefore, be it

34     RESOLVED, BY THE ASSEMBLY AND THE SENATE OF  
35 THE STATE OF CALIFORNIA, JOINTLY, That the California  
36 Legislature urges Congress to protect funding and maintain  
37 programs, laws, regulations, and policies that assist victims of  
38 domestic violence; and

39     RESOLVED, That the Chief Clerk of the Assembly transmit  
40 copies of this resolution to the President and Vice President of the

1 *United States, to the Speaker of the House of Representatives, to*  
2 *the Majority Leader of the Senate, and to each Senator and*  
3 *Representative from California in the Congress of the United*  
4 *States.*

5 ~~WHEREAS, Every year, almost 6 percent of women in~~  
6 ~~California suffer physical injuries from domestic violence; and~~

7 ~~WHEREAS, In 2002, 153 murders, with 128 female victims~~  
8 ~~and 25 male victims, were the result of intimate partner violence~~  
9 ~~in California; and~~

10 ~~WHEREAS, California law enforcement received 196,569~~  
11 ~~domestic violence calls in 2002, of which 119,850 involved~~  
12 ~~weapons, including firearms and knives; and~~

13 ~~WHEREAS, About 916,000 children were exposed to intimate~~  
14 ~~partner violence at home in 1998; and~~

15 ~~WHEREAS, Nearly one in five women who went hungry~~  
16 ~~because they did not have enough money to buy food were victims~~  
17 ~~of domestic violence; and~~

18 ~~WHEREAS, The federal Violence Against Women Act, enacted~~  
19 ~~in 1994, established a policy of allowing immigrants who are~~  
20 ~~victims of domestic violence to seek green cards; and~~

21 ~~WHEREAS, More than 30,670 immigrants married to United~~  
22 ~~States citizens have been granted visas to remain in the country~~  
23 ~~pursuant to the federal Violence Against Women Act; and~~

24 ~~WHEREAS, The United States Department of Homeland~~  
25 ~~Security is currently reexamining a longtime policy to let~~  
26 ~~immigrant spouses remain in the United States when their abusive~~  
27 ~~United States citizen or permanent-resident spouses refuse to help~~  
28 ~~them obtain legal status; and~~

29 ~~WHEREAS, Many of these victims are the parents of children~~  
30 ~~who are United States citizens, and would rather endure a violent~~  
31 ~~relationship than leave their children or be deported; and~~

32 ~~WHEREAS, Across the country, lawyers and others representing~~  
33 ~~these immigrants are reporting that green card applications are in~~  
34 ~~limbo; and~~

35 ~~WHEREAS, Abusive husbands often use the threat of~~  
36 ~~deportation to prevent their wives from complaining about the~~  
37 ~~abuse; and~~

38 ~~WHEREAS, Work visas have been granted pursuant to the~~  
39 ~~Violence Against Women Act so that an illegal immigrant victim~~

1 can obtain a work permit so she can support herself and her  
2 children; and

3 WHEREAS, Many of these women currently hold legal jobs,  
4 contribute to the community, and provide health insurance for their  
5 children; and

6 WHEREAS, A change in this policy would result in victims  
7 remaining in violent relationships just to avoid deportation and  
8 abandonment of their children, which would cause those children  
9 to have to seek public assistance; now, therefore, be it

10 *Resolved by the Assembly and the Senate of the State of*  
11 *California, jointly,* That the California Legislature urges Congress  
12 not to change the current policy to allow victims of domestic  
13 violence to pursue permanent resident status; and be it further

14 *Resolved,* That the Chief Clerk of the Assembly transmit copies  
15 of this resolution to the Director of the Department of Homeland  
16 Security and to each Senator and Representative from California  
17 in the Congress of the United States.